

INTERDEPARTMENTAL AGREEMENT

Access to Woodside Juvenile Rehabilitation Center For Youth Under the Jurisdiction of The Department of Corrections

The Department for Children and Families (DCF) operates the Woodside Juvenile Rehabilitation Center. Woodside is primarily used for short-term detention and placement of youth who have been adjudicated delinquent; it also operates a secure treatment program. The detention wing of Woodside is designed for a maximum capacity of 16 youth.

While Woodside is intended to serve youth adjudicated delinquent and in the custody of the Commissioner of DCF, under certain circumstances it may be appropriate to utilize vacancies in the Woodside Detention program for youth who are the responsibility of the Department of Corrections (DOC)

- At times, youth sixteen or seventeen years of age are placed in the custody of the Department of Corrections during the pendency of misdemeanor criminal proceedings. Federal and state laws prohibit the housing of youth who have not been convicted of a felony or who are not currently charged with a felony in facilities used for the incarceration of adults; DOC must make alternative arrangements for the detention of these minor detainees.
- At times, youth sixteen or seventeen years of age are convicted of a misdemeanor and court ordered to serve some or all of their time in a facility. State law prohibits the housing of youth convicted of a criminal misdemeanor in facilities used for the incarceration of adults; DOC must make alternative arrangements for the containment of these youth convicted of a misdemeanor.
- Infrequently, youth under the age of 16 are charged or sentenced in adult court for serious felony crimes. These youth may not be housed in adult facilities.

DCF and DOC enter into this Interdepartmental Agreement to outline the circumstances in which youth in DOC custody may be placed at Woodside.

A youth in the custody of the Department of Corrections is eligible for placement at Woodside in the following circumstances:

1. The youth is 16 or 17 years old and is charged or convicted as an adult for the commission of a misdemeanor AND
 - i. there is no felony charge pending AND
 - ii. the Commissioner of Corrections or designee has determined the youth is in the custody of DOC and requires detention or containment AND

- iii. there is no available community-based residential placement for the youth.
AND
 - iv. the admission of the youth is compatible with the juvenile population mix at Woodside.
2. Youth under 16 who are charged with a felony and require secure detention or are serving sentence as the result of a felony conviction will be housed at Woodside and may remain at the Center until their 16th birthday.

Procedure

Intake for all DOC referrals:

1. When DOC has an eligible youth in custody who it wishes to place at Woodside, the DOC Field Services Executive or designee shall contact the commissioner of DCF or designee and request placement. Additionally, the DOC Field Services Executive shall provide the DCF commissioner or designee with information about the youth, the offense, and any related court documents.
2. The DCF Commissioner or designee will promptly review the material submitted by DOC and render a decision in consultation with the Woodside Director and Placement Consultant. That decision will be communicated to the DOC Field Services Executive or designee. If admission is to occur, the DOC field representative will arrange it with the Woodside Director or designee.
3. The Director of Woodside or designee and the Superintendent of the Chittenden Regional Correctional Facility will formalize admission with the completion of furlough papers, medical permissions and other necessary releases.
4. Within the five business days of placement, the DCF Placement Consultant and the DOC Field Services Executive or designee will convene a treatment team meeting for the youth that will consist of appropriate DOC and DCF representatives. The Treatment Team will complete a written plan of services (Attachment A) including anticipated discharge date and plan.\
5. The Department of Corrections shall be ultimately responsible for the education of youth in its custody who are housed at Woodside and may delegate the provision of such educational services if appropriate. When the Treatment Team is convened, if it is determined that the youth does not have a legal guardian who is authorized to obtain educational records, then DOC will enroll the youth in Community High School and request the youth's educational records. The records will be shared as needed with the Woodside Education Director.

Discharge:

Discharge consideration and/or date will be determined by the DCF Commissioner or designee in consultation with DOC representative.

A. For misdemeanants, the DCF Commissioner or designee may terminate a DOC placement when:

1. The population of the Woodside detention wing reaches sixteen;
 2. In the DCF Commissioner or designee's judgment, the placement is no longer compatible with the Woodside juvenile population.
- In unusual circumstances, in consideration of the best interests of a youth, DOC may request an exception to these criteria and may contribute resources to meet staffing and safety needs at Woodside.
 - Should DCF terminate a DOC placement, DCF shall endeavor to give DOC at least forty-eight hours of notice. Immediate discharge may be required to permit the placement of high risk DCF youth who require secure placement.

B. Felony DOC placements who under 16 and have no other placement option will be housed at Woodside until their 16th birthday or until DOC implements an alternative plan.

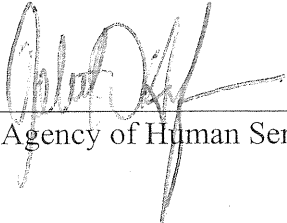
General Agreements

1. Under no circumstances shall a youth over the age of eighteen reside at Woodside.
2. DOC will pay for any and all services provided to the youth that are not included in the Woodside standard detention program. Such services, and their cost, shall be outlined in the youth's plan of services. Commissioners' designees may negotiate further cost sharing in particular circumstances as necessary.
3. DOC shall have the right to re-take a youth housed at Woodside and committed to DOC custody at any time.
4. This agreement is for the benefit of the two parties only, and does not convey third-party beneficiary status on anyone.
5. No youth committed to the DOC shall have any right under this agreement to petition the DOC, the DCF, or the courts to seek placement at Woodside.
6. Upon request by the DOC, the DCF shall provide access to the DOC of all DCF records that are specifically related to youths detained at Woodside pursuant to this agreement. DCF may redact all information that references other youths under its care.
7. This Interdepartmental Agreement maybe cancelled by either party with a thirty-day written notice.
8. This Interdepartmental Agreement is effective until it is cancelled.

 6/27/09
Commissioner of DCF Date

 June 9, 2009
Commissioner of Corrections Date

I hereby delegate the placement authority conveyed to me in 33 V.S.A. § 5505 to the commissioners of the Department of Corrections and the Department for Children and Families, to be exercised in accordance with the provisions of this Interdepartmental Agreement.


Secretary of Agency of Human Services

6/25/09
Date

Attachment A PLAN OF SERVICE

Child's Name

Date of Birth

Treatment Plan Date

Treatment Plan Review Date

Area of Interest	Actions to be Taken	Responsible Parties
Custody/Legal		
Housing		
Transport		
Education		
Medical/Mental Health		
Case Review/Planning		Core Team Members: DOC CSS Woodside Social Worker (DCF) Mental Health (DCF/DOC) Education (DCF/DOC) Adjunct as indicated
Victim Services		

It is understood and agreed that circumstances and conditions affecting this plan of service are subject to change. Modifications and changes maybe verbally agreed to by the Parties as deemed necessary or at subsequent Team meetings.

Jackie Kotkin or Designee
Assistant Director of Correctional
Services

Cindy Walcott or Designee
Deputy Commissioner of Child
Welfare & Youth Justice